

**AUG 24 2006**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARIO HUMBERTO ARREOLA-  
TRASVINA,

Defendant - Appellant.

No. 04-50151

D.C. No. CR-98-00808-JSL

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
J. Spencer Letts, District Judge, Presiding

Submitted August 21, 2006\*\*

Before: GOODWIN, REINHARDT and BEA, Circuit Judges.

Mario Humberto Arreola-Trasvina appeals from the sentence imposed upon him following the revocation of supervised release. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

\*\* This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

The Clerk shall file appellant's supplement to the opening brief received on December 20, 2004. We reject Arreola-Trasvina's contention that the district court lacked jurisdiction over the supervised release revocation proceeding because the underlying warrant was not supported by an oath. *See United States v. Ortuno-Higareda*, 450 F.3d 406, 410-11 (9th Cir. 2006) (holding that oath requirement only applies when the period of supervised release has already expired prior to the revocation hearing).

We reject Arreola-Trasvina's contention that the imposition of supervised release violates the Constitution. *See United States v. Huerta-Pimental*, 445 F.3d 1220, 1225 (9th Cir. 2006).

**AFFIRMED.**